



BellSouth Telecommunications, Inc.  
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December 5, 2000

Guy M. Hicks  
General Counsel

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Fax 615 214-7406

VIA HAND DELIVERY

David Waddell, Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37238

Re: *Petition for Arbitration of an Interconnection Agreement Between  
BellSouth Telecommunications, Inc. and US LEC of Tennessee, Inc.  
Pursuant to the Telecommunications Act of 1996*  
Docket No. 00-00053

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth's First Set of Interrogatories to US LEC of Tennessee, Inc. Copies of the enclosed are being provided to counsel of record for all parties.

Very truly yours,

*Guy Hicks* @  
Guy M. Hicks w/permission

GMH:ch  
Enclosure

12-7-00

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**  
Nashville, Tennessee

In Re: *Petition for Arbitration of an Interconnection Agreement Between  
BellSouth Telecommunications, Inc. and US LEC of Tennessee, Inc.  
Pursuant to the Telecommunications Act of 1996*

Docket No. 00-00053

**BELLSOUTH TELECOMMUNICATIONS, INC.'S FIRST SET OF  
INTERROGATORIES TO US LEC OF TENNESSEE, INC.**

BellSouth Telecommunications, Inc. ("BellSouth") hereby requests US LEC of Tennessee, Inc. ("US LEC") to furnish answers to the following Interrogatories by December 13, 2000.

**INSTRUCTIONS**

(a) If any response required by way of answer to these Interrogatories is considered to contain confidential or protected information, please furnish this information subject to a protective agreement.

(b) If any response required by way of answer to these Interrogatories is withheld under a claim of privilege, please identify the privilege asserted and describe the basis for such assertion.

(c) These Interrogatories are to be answered with reference to all information in your possession, custody or control or reasonably available to you.

(d) If any Interrogatory cannot be responded to in full, answer to the extent possible and specify the reason for your inability to respond fully. If you object to any part of an Interrogatory, answer all parts of the Interrogatory to which

you do not object, and as to each part to which you do object, separately set forth the specific basis for the objection.

(e) These Interrogatories are continuing in nature and require supplemental responses should information unknown to you at the time you serve your responses to these Interrogatories subsequently become known or should your initial response be incorrect or untrue.

### **DEFINITIONS**

(a) "US LEC" means US LEC of Tennessee, Inc., any predecessors in interest, its parent, subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of US LEC.

(b) "You" and "your" refer to US LEC.

(c) "Person" means any natural person, corporation, corporate division, partnership, other unincorporated association, trust, government agency, or entity.

(d) "And" and "or" shall be construed both conjunctively and disjunctively, and each shall include the other whenever such construction will serve to bring within the scope of these Interrogatories information that would not otherwise be brought within their scope.

(e) "Identification" or "identify" when used in reference to: (i) a natural individual, requires you to state his or her full name and residential and business address; (ii) a corporation, requires you to state its full corporate name and any names under which it does business, the state of incorporation, and the address of

its principal place of business; (iii) a document, requires you to state the number of pages and the nature of the document (e.g., a letter or memorandum), its title, its date, the name or names of its authors and recipients, and its present location or custodian; (iv) a communication, requires you, if any part of the communication was written, to identify the document or documents which refer to or evidence the communication, and to the extent that the communication was not written, to identify the persons participating in the communication and to state the date, manner, place, and substance of the communication.

(f) "Arbitration Petition" refers to the petition filed by BellSouth on January 25, 2000 requesting arbitration under Section 252(b) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996 (" 1996 Act").

(g) "Incumbent Local Exchange Carrier" refers to the term as defined in Section 251(h) of the Act, as codified in 47 U.S.C. § 251(h).

### **INTERROGATORIES**

1. Identify all persons participating in the preparation of the answers to these Interrogatories or supplying information used in connection therewith.

2. Identify all documents that refer or relate to any issues raised in the Arbitration Petition and/or Response thereto.

3. Identify all documents upon which US LEC intends to rely or introduce into evidence at the hearing on this matter.

4. Please state the total number of end user customers that US LEC serves within the state of Tennessee and identify all documents relied upon by US LEC in answering this interrogatory.

5. Please state the total number of end user customers that US LEC serves off of its own network ("on-net" customers) within Tennessee and identify all documents relied upon by US LEC in answering this interrogatory.

6. Please state the total number of US LEC's on-net customers in Tennessee that are Internet Service Providers ("ISPs") and identify all documents relied upon by US LEC in answering this interrogatory.

7. State the percentage of US LEC's customers in Tennessee that are residential customers and identify all documents relied upon by US LEC in answering this interrogatory.

8. Please state on a monthly basis the total amount of revenue that US LEC expects to earn from providing services within Tennessee to its end-user customers for the years 2000 and 2001 and identify all documents relied upon by US LEC in answering this interrogatory.

9. Please state on a monthly basis the total amount of revenue that US LEC expects to earn from providing services within Tennessee to its "on-net" end-user customers for the years 2000 and 2001 and identify all documents relied upon by US LEC in answering this interrogatory.

10. For the Tennessee ISP customers identified in response to Interrogatory No. 6, please state, on an annual basis, (a) the total amount US LEC

expects to earn for service to those customers for the years 2000 and 2001; (b) the amounts of any credits, rebate, or adjustments expected to be given to such customers for the years 2000 and 2001; and (c) the total amount of revenue US LEC expects to collect from such customers for the years 2000 and 2001. Please identify all documents relied upon by US LEC in answering this interrogatory.

11. Please provide US LEC's total dollar investment in Tennessee, including total dollar investment in switches, outside plant, and support assets and identify all documents relied upon by US LEC in answering this interrogatory.

12. Provide the total number of switches US LEC has deployed in Tennessee and identify all documents relied upon by US LEC in answering this interrogatory.

13. Identify any cost study or other data or documents concerning the actual cost to US LEC to transport ISP traffic from the point of interconnection with BellSouth to the ISP server being served by a US LEC switch.

14. Identify all agreements between US LEC and an Incumbent Local Exchange Carrier under Section 252 of the Act, whether the agreement was entered into through voluntary negotiation or compulsory arbitration. In answering this request:

- (a) identify the Incumbent Local Exchange Carrier that is a party to each such agreement;
- (b) state the effective date of each such agreement; and
- (c) state the expiration date of each such agreement.

15. Identify any and all cost studies, evaluations, reports or analyses prepared by or for US LEC concerning any issue raised by BellSouth or US LEC in this Arbitration.

16. Identify all state and federal legal authority that supports US LEC's contention that traffic to ISPs is local traffic.

17. Does US LEC deliver traffic to ISPs located outside the rate center in which the call to the ISP originated?

18. If the answer to Request No. 17 is in the affirmative, describe the network architecture used by US LEC to deliver traffic to ISPs located outside the rate center in which the call to the ISP originated and identify all documents relied upon by US LEC in answering this interrogatory.

19. If the answer to Request No. 17 is in the affirmative, state whether or not US LEC collects reciprocal compensation for traffic delivered to ISPs located outside the rate center in which the call to the ISP originated.

20. Fully describe all of US LEC's facilities, including switches, within Tennessee, including the manufacturer and model information and identify all documents relied upon by US LEC in answering this interrogatory.

21. Describe in detail the geographic area served by each switch US LEC has in Tennessee and identify all documents relied upon by US LEC in answering this interrogatory.

22. For the state of Tennessee, describe in detail the location of US LEC customers in relation to the US LEC switch serving those customers and identify all documents relied upon by US LEC in answering this interrogatory.

23. Does US LEC have an agreement(s) concerning the publishing of US LEC's subscriber listing information for any directory? If so, please provide the name and address of each company or individual with whom US LEC has such an agreement.

24. Describe in detail US LEC's rationale for defining "serving wire center" as the V&H coordinates within which the originating party's point of presence is located and identify all documents relied upon by US LEC in answering this interrogatory.

25. Describe in detail the basis for US LEC's assertion that it does not have to provision facilities to locations not on its network to provide transport service to BellSouth and identify all documents relied upon by US LEC in answering this interrogatory.

26. Describe in detail the basis for US LEC's assertion that the elemental and composite costs/rates that US LEC contends BellSouth should pay for the transport and termination of local traffic are appropriate in Tennessee and identify all documents relied upon by US LEC in answering this interrogatory.

27. Describe in detail the basis for US LEC's position that the issue of IP telephony should not be addressed in the Interconnection Agreement and identify all documents relied upon by US LEC in answering this interrogatory.

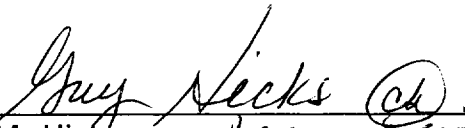


28. Does US LEC own or have an interest in an ISP? Is US LEC affiliated in any way with an ISP (other than a customer relationship)? If so, explain in full the nature of such interest or affiliation and identify all documents relied upon by US LEC in answering this interrogatory.

29. State the actual cost incurred by US LEC to transport ISP traffic from the point of interconnection with BellSouth to the ISP server being served by a US LEC switch and identify all documents relied upon by US LEC in answering this interrogatory.

Respectfully submitted, this 5<sup>th</sup> day of December 2000.

BELLSOUTH TELECOMMUNICATIONS, INC.

  
\_\_\_\_\_  
Guy M. Hicks *w/permission*  
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(615) 214-6301

R. DOUGLAS LACKEY  
E. EARL EDENFIELD JR.  
675 West Peachtree Street, Suite 4300  
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CERTIFICATE OF SERVICE

I hereby certify that on December 5, 2000, a copy of the foregoing document was served on the parties of record, via facsimile, hand delivery, overnight or U. S. Mail, postage pre-paid, addressed as follows:

- ☐ Hand  
☒ Mail  
☐ Facsimile  
☐ Overnight

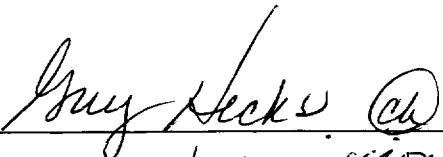
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Aaron Cowell  
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w/permission